

REMARKS

The non-final office action of September 29, 2004 (hereinafter the Action) has been carefully reviewed and these remarks are responsive thereto. Claims 1, 4-7, 9, 25, 26, and 28-47 are now pending in this application. By this amendment, claims 1, 5, 32, 37, and 39 are amended and claims 45-47 are added. Note that claim 5 is amended only to be in independent form without any change in scope. No new matter is added. Reconsideration and allowance of the instant application are respectfully requested in view of the amendments and arguments made herein.

Rejections under 35 U.S.C. § 102(e) – Claims 1, 4, 7, 9, and 31

Claims 1, 4, 7, 9, and 31 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,757,002 to Oross *et al.* (hereinafter *Oross*). Applicant has amended independent claim 1 to recite, *inter alia*:

receiving a stylus input from a user; determining whether the stylus input is preceded by a predetermined gesture; responsive to determining that the stylus input is preceded by the predetermined gesture, displaying a graphical user interface including a user-selectable keyboard function...

Applicants assert that *Oross* does not anticipate every feature of amended independent claim 1. For example, *Oross* fails to teach or suggest determining whether a stylus input is preceded by a predetermined gesture, as recited in claim 1. *Oross* also fails to teach or suggest displaying a graphical user interface including a user-selectable keyboard function in response to determining that the stylus input is preceded by the predetermined gesture as claimed. Accordingly, claim 1 is allowable over *Oross* for at least these reasons.

Claims 4, 7, 9, and 31, which depend from claim 1, are also allowable over *Oross* for at least those reasons as discussed with regard to claim 1, and further in view of the additional features recited therein.

Rejections under 35 U.S.C. § 103(a) – Claims 5 and 6

Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Oross*. Claim 5 is rewritten merely to be in independent form. Applicants respectfully traverse the Action's assertion that it would have been obvious to have modified *Oross* to provide a bull's-eye function as recited in claim 5, and to send a right-button event to an application in response to user selection of the bull's-eye function, as recited in claim 6. The Action alleges that *Oross* teaches specialized selectable functions that "may be specific mouse click or clicks," (emphasis added). The Action further alleges that:

the right click is a conventional and often used click function. It would have been obvious to one skilled in the art to incorporate a right click as a selectable function because of its high frequency of use.

Applicants traverse this rejection. *Oross* discusses the assignment of functions which primarily cannot be accomplished easily on a track pad with accompanying mouse buttons. Therefore, the use of a right click function in *Oross* is not obvious and goes against the whole point of *Oross*. In fact, *Oross* teaches away from assigning a right click function and instead discloses a standard right click button 18 (Figs. 1A, 2, 9, and 10), thereby making a displayed bull's-eye function (and the sending of a right-button event in response to selection of a bull's-eye function) unnecessary and needlessly cumbersome.

Moreover, the Action's assertion that a mouse click (singular) is disclosed within *Oross* is incorrect. *Oross* discloses only *combinations* of clicks (plural). As *Oross* states (as cited by the Action):

The functions may be defined by a *combination* of keys and/or clicks. Accordingly, a programmable touch sensing area may serve as a hot-key, a double click or another function. (emphasis added) Col. 3, lines 39-42.

Further, any key combination, mouse clicking *combination*, key and clicking *combination*, or even a macro may be programmed ... (emphasis added) Col. 7, lines 43-45.

Oross does not teach, suggest, or even hint at the assignment of a single right click to its track pad areas. Again, this is not surprising since *Oross* already provides left and right mouse buttons 18.

Applicants therefore submit that claims 5 and 6 are patentable over *Oross* for at least these reasons and respectfully request that they be allowed.

Rejections under 35 U.S.C. § 103(a) – Claims 1, 9, 32-38, and 41-44

Claims 1, 9, 32-38, and 41-44 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,018,336 to Akiyama *et al.* (hereinafter *Akiyama*). As discussed previously with regard to *Oross*, *Akiyama* likewise fails to teach or suggest determining whether a stylus input is preceded by a predetermined gesture, as recited in claim 1. *Akiyama*, like *Oross*, also fails to teach or suggest displaying a graphical user interface in response to determining that the stylus input is preceded by the predetermined gesture as claimed. Nor does the rejection over *Akiyama* address the claim 1 features missing from *Akiyama*.

Independent claim 32 is also allowable over *Akiyama* for at least similar reasons as discussed above with regard to claim 1, and further in view of the differing features recited therein.

Claims 9, 33-38, and 41-44 are also allowable over *Akiyama* for at least those reasons that their respective independent claims are allowable, and further in view of the additional features recited therein.

Rejections under 35 U.S.C. § 103(a) – Claims 25, 26, 28, 29, 30, 39, and 40

Claims 25, 26, 28, 29, and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Akiyama* in view of U.S. Patent 5,500,935 to Moran (hereinafter *Moran*). Claims 30 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Akiyama* in view of *Moran*, and in further view of U.S. Patent 5,625,833 to Levine *et al.* (hereinafter *Levine*). Applicants submit that claims 25, 26, 28, 29, 30, 39, and 40 are allowable over *Akiyama* for at least those reasons as their respective independent claims, and further in view of the additional features recited therein. Moreover, neither *Moran* nor *Levine* makes up for the deficiencies of *Akiyama*. Accordingly, it is submitted that these claims are allowable.

CONCLUSION


All rejections having been addressed, Applicants submit that the instant application is in condition for allowance, and respectfully request prompt notification of the same. Should the Examiner feel that a telephone call would expedite prosecution, the Examiner is invited to contact the undersigned at the number below.

Respectfully submitted,

BANNER & WITCOFF, LTD.

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By:



Jordan N. Bodner
Reg. No. 42,338

1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001